

PHILLIP A. TALBERT
United States Attorney
JEFFREY A. SPIVAK
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRUCE C. DERESCHUK,

Defendant.

CASE NO. 5:22-PO-00010-SAB
(Violation # E1200491)

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEE J. DERESCHUK,

Defendant.

CASE NO. 5:22-PO-00011-SAB
(Violation # E1200492)

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES G. MCGUIRE,

Defendant.

CASE NO. 5:22-PO-00026-SAB
(Violation # E1200490)

STIPULATION AND ORDER TO ALLOW FIXED-SUM PAYMENT IN LIEU OF APPEARANCE, TO VACATE TRIAL DATE, AND TO SET STATUS CONFERENCE; ORDER

TRIAL DATE: October 4, 2022
TIME: 10:00 a.m.
COURT: Hon. Stanley A. Boone

Plaintiff United States of America, by and through its counsel of record, and defendants Bruce C.

Dereschuk, Lee J. Dereschuk, and James G. McGuire, by and through counsel of record, hereby stipulate and request that the Court allow each defendants' violation notices to be resolved by payment of a fixed-sum in lieu of appearance pursuant to Federal Rule of Criminal Procedure 58(d)(1) and Local Rule Crim. 410. Specifically, each defendant would agree to pay a \$350 forfeiture amount and \$30 processing fee and would agree to pay the amount in full prior to October 15, 2022.

The parties further stipulate and request that the Court vacate the October 4, 2022 trial date in these cases and set a status conference on November 1, 2022, with the understanding that, should the defendants pay the forfeiture amount and processing fee before the November 1, 2022 status conference, the matter is resolved and appearance will not be necessary.

In the event the Court denies this stipulation, the parties would stipulate and request that the trial date be vacated and the matter be set for change of plea on October 4, 2022 at 10 am (the date and time currently set for trial).

Dated: September 21, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: September 21, 2022

/s/ Richard L. Grant, Esq.
RICHARD L. GRANT, ESQ
Attorney for Bruce C. Dereschuk,
Lee J. Dereschuk, and James G.
McGuire

ORDER

IT IS SO ORDERED. The Court vacates the October 4, 2022 trial date, and sets this matter for status conference on November 1, 2022, at 10:00 a.m. If the defendants each pay the \$350 forfeiture amount and \$30 processing fee prior to the November 1, 2022 status conference, the matter will be closed.

IT IS SO ORDERED.

Dated: **September 26, 2022**



UNITED STATES MAGISTRATE JUDGE